

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

VERONICA LASSITER,

Plaintiff,

v.

No. 17-cv-0850 JCH/SMV

**HIDALGO MEDICAL SERVICES and
DAN OTERO,**

Defendants.

**ORDER GRANTING DEFENDANTS' MOTION
TO EXTEND DEPOSITION**

THIS MATTER is before the Court on Defendants' Motion for Leave to Extend the Deposition of Veronica Lassiter Beyond Seven Hours [Doc. 106], filed on June 4, 2018. Plaintiff has not responded, and the time for doing so has passed. *See* D.N.M.LR-Civ. 7.4(a) ("A response must be served and filed within fourteen (14) calendar days after service of the motion."). Pursuant to Local Rule 7.1(b), "[t]he failure of a party to file and serve a response in opposition to a motion within the time prescribed for doing so constitutes consent to grant the motion." Accordingly, Plaintiff is deemed to have consented to the motion being granted.¹

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Defendants' Motion for Leave to Extend the Deposition of Veronica Lassiter Beyond Seven Hours [Doc. 106] is **GRANTED**. Defendants may extend the deposition of Plaintiff Veronica Lassiter for one additional day not to exceed four hours of questioning on the record.

¹ At the close of the first day of Plaintiff's deposition, on April 19, 2018, counsel for Plaintiff indicated opposition to extending the deposition beyond seven hours. *See* [Doc. 106] at 2; [Doc. 106-1] at 2–3. Defendants' motion further indicates that counsel attempted to confer in good faith with Plaintiff before filing the instant motion. [Doc. 106] at 7.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'S. Vidmar', is positioned above a horizontal line.

STEPHAN M. VIDMAR
United States Magistrate Judge